



Entered on Docket
October 06, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for Official Committee of Unsecured Creditors

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In Re:

USA Commercial Mortgage Company
06-10725 – Lead Case

USA Capital Realty Advisors, LLC
06-10726

USA Capital Diversified Trust Deed Fund, LLC
06-10727

USA Capital First Trust Deed Fund, LLC
06-10728

USA Securities, LLC
06-10729

Debtors.

Jointly Administered

Chapter 11 Cases

Judge Linda B. Riegle Presiding

Date: September 28, 2006

Time: 9:30 a.m.

Affecting:

☐ All Cases

or Only:

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

**ORDER APPROVING FIRST INTERIM FEE AND EXPENSE APPLICATION OF
LEWIS AND ROCA LLP, ATTORNEYS FOR OFFICIAL COMMITTEE FOR
UNSECURED CREDITORS OF USA COMMERCIAL MORTGAGE COMPANY**

The Court having considered the First Interim Expense Application of Lewis and Roca LLP, Counsel to the Official Committee of Unsecured Creditors of USA Commercial Mortgage Company (the "Application") and supporting declaration; having reviewed the pleadings, papers and records on file in this matter; having considered the arguments of counsel at a hearing on September 28, 2006; the compensation requested by the Application in the amount of \$227,901.25, along with expense reimbursement of \$40,900.51, resulting in a total of \$268,801.76 incurred by Lewis and Roca LLP ("Lewis and Roca") during the period of May 24, 2006 through July 31, 2006; the Application having been properly served upon all parties-in-interest; all objections to the Application having been considered and either overruled or otherwise resolved; and good cause appearing:

IT IS HEREBY ORDERED that the Application is approved.

IT IS FURTHER ORDERED that Lewis and Roca is hereby awarded total compensation in the amount of \$268,801.76, consisting of \$227,901.25 for fees incurred by Lewis and Roca during the period of May 24, 2006 through July 31, 2006, and \$40,900.51 for expenses incurred by Lewis and Roca during the same period.

IT IS FURTHER ORDERED that the Application, as well as this award, are interim in nature, as provided in the Court's Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals entered August 29, 2006 [DE 1202].

IT IS FURTHER ORDERED that the above compensation shall be paid by USA Commercial Mortgage Company, when and to the extent there are unencumbered funds available to pay professional fees and costs without prejudice to payment of other

1 administrative expenses and pro rata with payment of the USA Commercial Mortgage
2 Company Debtor's professionals.

3 PREPARED AND SUBMITTED:

4 **LEWIS AND ROCA LLP**

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6 By: /s/ RC (#0006593)

7 Susan M. Freeman

8 Rob Charles

9 *Attorneys for the Official Committee of Unsecured
10 Creditors for USA Commercial Mortgage Company*

11 APPROVED/DISAPPROVED:

12 OFFICE OF THE U.S. TRUSTEE

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17 Counsel for the U.S. Trustee
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RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☒ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☒ approved the form of this order; or
- ☒ waived the right to review this order; and/or
- ☐ failed to file and serve papers in accordance with LR 9021(c).
- ☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED October 2, 2006.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
*Attorneys for the Official Committee of
Unsecured Creditors for USA Commercial
Mortgage Company*